



# 'BAD MOTHERS AND INVISIBLE FATHERS'

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PARENTING IN THE CONTEXT OF  
DOMESTIC VIOLENCE

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## A Note on Terminology

This Discussion Paper uses the term 'domestic' rather than 'family' violence, as it takes as its focus gendered violence that is perpetrated mainly by men against women (both in relationships and after separation). However, DVRCV acknowledges that, especially for Aboriginal people, 'family violence' is thought to better encapsulate the various forms that this violence can take (see Cummings and Katona, 1995; Bagshaw et al, 1999; MacDonald, 1998: 13).

The Paper defines domestic violence as encompassing both single isolated acts and a sustained pattern of violence over time. The types of violence included are physical violence, sexual violence, emotional or psychological abuse, financial abuse, isolation, sleep deprivation and spiritual abuse.

The choice to focus on gendered violence is underpinned by the fact that women are overwhelmingly the victims of intimate partner violence (ABS, 2005; Bagshaw and Chung, 2000). One recent Australian survey found that one in five women in Australia are victims of domestic violence (ABS, 2005). Several studies which have focused on domestic violence in heterosexual relationships have revealed that the violence is perpetrated by men against women (Dobash and Dobash, 2000; Mirrlees and Black, 1999; Walby and Allen, 2004).

The Paper focuses on mothers in heterosexual relationships, but DVRCV acknowledges that the dynamics of power and control can exist in all intimate partner relationships, including in same-sex relationships.

## Introduction

Over the last four decades researchers have gradually become interested in how domestic violence complicates mothering (Stark and Filcraft, 1988; Kelly, 1994) albeit in research with a different, or a broader focus. The literature has focused on the effects of children's exposure to domestic violence, in relation to women's ability to care for and protect their children, rather than on women's own experiences of mothering in the context of domestic violence (Lapierre, 2009). Only in recent years have researchers begun to write about how men attack women's mothering as part of their violence or as a strategy of abuse. For example, Bagshaw and Chung noted from their 1998 Australian study that men's verbal abuse of women often targeted 'their intelligence, sexuality, body image and *capacity* as a wife or *parent*' (2000: 11).

Furthermore, it was not until the early 2000s that research on domestic violence focused specifically upon the effects of that violence on mothering and the mother-child relationship. As Radford and Hester note, this is despite 'over thirty years of research and activism against violence against women whether from the viewpoint of women's experiences, of children's experiences, or on the basis of review of social policy and academic discourses' (2001: 135). Many women's experiences of domestic violence cannot be separated from their parenting and, over the last three years, there have been signs that this is gaining momentum as a research topic (see Radford and Hester, 2001, 2006; Lapierre, 2007, 2008a, 2008b, 2009; Humphreys, 2007a, 2007b, 2007c; Humphreys et al, 2009; Humphreys et al, 2006; Krane and Davies, 2007; Letourneau et al, 2007; Levendosky et al, 2000; Levendosky and Graham-Berman, 2001; Levendosky et al, 2003).

While it has been argued that mothers who have been subjected to domestic violence are on the whole innovative in their responses to it, becoming experts at managing their own and their children's survival (McInnes, 2002: 23), domestic violence has many negative consequences for its victims (see Kelly, 1994; McCloskey et al, 1995; Mirrlees-Black, 1999; Bancroft and Silverman, 2002; Taft, 2002; Fraser, 2003; Humphreys and Thiara, 2003 and 2005; VicHealth, 2004a; McCosker and Woods, 2006; WHO, 2006; Lowe et al, 2007).

Unsurprisingly, these can impact upon a woman's mothering role – including on her perception of herself as a mother and on her relationship and interactions with her children.<sup>1</sup>

Traditionally, children's wellbeing has been viewed as primarily the responsibility of women, and societies have placed high expectations on women as mothers – to such an extent that the ideal of a 'good' mother is a familiar cultural figure: she is nurturing and self-sacrificing, always placing her children's welfare before her own.<sup>2</sup> When children have psychological or behavioural problems, it is their mothers who are generally held accountable. And in the context of domestic violence, mothers tend to be blamed if their children are harmed, even when they themselves did not perpetrate that harm.

The consequence of these expectations about mothering in family relationships is that violent men – who are also fathers, step-fathers or male carers to the family's children – escape visibility and are not held accountable for the effect of their behaviour on their children. Women's difficulties, including with mothering, instead become the focus of attention.

In addition, the fact that many women gain fulfilment and social affirmation from their role as mothers is well known to perpetrators of domestic violence, who may use that knowledge against women, directing their attacks towards this aspect of their partner's life to undermine her identity as a mother and also the mother-child relationship. Further problems arise when those who work in the social and legal institutions which intervene in cases of domestic violence are also influenced by the view that women are predominantly responsible for their children's wellbeing.

This Discussion Paper draws on recent research from the United Kingdom, North America and Australia to illuminate how domestic violence affects women's abilities to mother a couple's children and how mothering in such situations can trap women in gendered violence. In combination, perpetrators who undermine and attack women in their mothering role, and wider societal expectations about good mothering, form a complex set of circumstances and outcomes for mothers who are living in, leaving, or have left a violent relationship. Many parent their children effectively. But the violence makes this more difficult and its effects on children's own wellbeing in turn impacts back upon their mothers. It can be hard

**1** Women's experiences of mothering through and after domestic violence also depend upon their different personalities, life experiences and other cultural, economic, and contextual factors, such as level of support from family, friends, partners, professionals and the community.

**2** We have placed concepts such as a 'good' mother in inverted commas the first time it appears, but not where the concept is subsequently mentioned.

enough for women who are traumatised by violence to mother traumatised children; when social services and legal systems also hold women responsible for the negative effects of the violence on their children, women's confidence in their parenting abilities and their relationship with their children is further undermined.

This Paper suggests that good *parenting*, rather than good mothering, should be placed at the centre of attention when decisions are being made about where a child's best interests lie in the context of domestic violence. It raises for discussion what 'good fathering' comprises and challenges the view, sometimes expressed, that men who perpetrate domestic violence against a child's mother can still be considered good fathers. The Paper questions why the fathering role is not subjected to the same level of scrutiny as is the mothering role in such cases. It asks what social service and legal responses to domestic violence might look like, if these were based upon an understanding that children's wellbeing is the responsibility of both parents.

Finally, the Paper argues that children's health and wellbeing will only be optimised when women's attempts to parent in these difficult circumstances are valued and supported in ways that strengthen and re-build their relationships with their children.



## Mothering and Domestic Violence

Mothering is not simply a biological imperative. It is also a social and cultural construction (Silva, 1996: 1). While women carry babies during pregnancy, give birth and often breastfeed them, both women and men are equally able to provide for a child's physical, social and emotional needs. Yet in many parts of the world the primary responsibility for caring for children has traditionally been placed on women.

This social expectation has implications for the choices women make, how they perceive themselves and how they are viewed and treated by others. When motherhood is seen as something that requires 'women's exclusive and selfless attention to and care of children based on women's psychological self-sacrifice' (DiQuinzio, 1999: xiii), mothers who fall short of that ideal can be harshly judged. They tend to be blamed if their children experience any difficulties. In contrast, men do not experience the same kind of pressure to be good fathers. Nor are they usually held responsible when something goes wrong with their children.

Women's mothering is one of the targets of men's use of violence against women and children (Mullender et al, 2002; Radford and Hester, 2006). Mothering is central in abusive men's 'exercise of control and domination and expression of authority and power over their partners' (Lapierre, 2007: 151). Mullender et al (2002) note that 'it is not an accident that abusive men attack women's abilities to mother; they know that this represents a source of positive identity, the thing above all else that abused women try to preserve, and also that it is an area of vulnerability' (p. 158).

Domestic violence adds another difficult dimension to women's role as mothers and to social evaluations of how they perform in that role. Indeed, negative perceptions of women's mothering can be most influential at the very times when such women most need support – as when a partner is violent towards her. When that occurs, women are commonly held responsible for addressing the violence and abuse; and they are expected to take the lead in protecting their children from it, in particular by leaving their partners (Humphreys, 2007b). If they cannot, they are blamed for that. As Lapierre notes, 'mother blaming has consequences for women's experiences of mothering, often leading to self-blame and guilt' (2007: 151).

Driven by a desire to dominate his partner, an abusive man can use the institution of motherhood against a woman by exploiting the physical and social demands placed on her in her role as a mother, for example by controlling decisions around reproduction, creating dependency through pregnancy, controlling the domestic environment and engaging in mother blaming. These strategies succeed with women who feel responsible and try to mother well (Lapierre, 2007: 151).

Radford and Hester (2006) draw on Richie's concept of 'gender entrapment' to explain this phenomenon of a man strategising to undermine a woman by attacking her identity and authority as a mother.<sup>3</sup> This may be further reinforced by some attitudes which are at work in the courts and child protection agencies (see Professional Responses section for more on this).

## Entrapment of Women into Violent Relationships

### Controlling Conception and Pregnancy

Abusive men may exploit women's biology to trap them in the relationship. A woman may be impregnated through rape; the man may control decisions relating to contraception. A recent study in the USA, based on interviews with young women who had experienced domestic violence found that a quarter of them said their partners were actively trying to get them pregnant by manipulating condom use, sabotaging birth control and making explicit statements about wanting them to become pregnant (Miller et al, 2007).

Two of the women interviewed by Canadian researcher Simon Lapierre had unwanted pregnancies because of their partners' control over the reproduction and contraception. Lapierre suggests that the perpetrators' intention of getting their partners pregnant seemed not to be motivated by the desire to have children. Rather, it was an attempt to create dependency and tie their partners to the relationship (Lapierre, 2007: 147).

A further example of this kind of abuse was reported by an Australian woman who sent her story to DVRCV.<sup>4</sup> It illustrates the kinds of emotional and verbal manipulation that can be used to pressure a woman to continue with a pregnancy and thereby keep her in the abusive relationship.

<sup>3</sup> Richie used the phrase 'gender entrapment' to explain why some African-American battered women who live in poverty in the US may turn to crime. She argues that these women are 'set up to fail' in their relationships and life goals because they are marginalised by the combination of living through violence, sexism, racism and poverty (in Radford and Hester, 2006: 28).

<sup>4</sup> In 1998 DVRCV (then DVIRC) asked young women who had experienced domestic violence to send in their stories to assist others who visited our website *When Love Hurts*. We received over 1,000 stories, a selection of which is published on the website [www.dvrcv.org.au/whenlove](http://www.dvrcv.org.au/whenlove).

*After just a few weeks I accidentally fell pregnant to him. I was not ready for this but he talked me round with logic and charm . . . I became incredibly depressed and confused. He would order me around and tell me what to do, how to do it, put me down if I got it wrong, put my friends down, belittle my hobbies. Nothing I could do was good enough and I felt every minute was spent trying to please him . . . I was a shell and freaking out about the pregnancy. Normally really talkative, I was scared to do or say anything . . . Somehow I found the strength to have a termination. It was the hardest decision I have ever made. He exploded at me and wouldn't stop. I meekly called him an arsehole. I was exhausted and felt desperate and traumatised (Fiona, age 28).*

### **Entrapment during Pregnancy**

A second form of gender entrapment can occur during pregnancy. This is a time when women may be physically and emotionally dependent on their partner for support. Yet research has shown that pregnancy is a time of increased risk of domestic violence (Taft, 2002; McCosker-Howard and Woods, 2006) and that abuse during pregnancy is more common than other pregnancy-related complications (Campbell et al, 2000).

### **Fear of Poverty**

Women are further ensnared in violent relationships by the fear that if they leave they will have nowhere to live and little money to support themselves and their children. Single mothers notoriously lack social and financial support. Those without paid work or with only part-time employment often live on incomes below the poverty line (Council for Single Mothers and their Children, 2004: 1). A recent Australian study which used longitudinal data to examine and compare women and men's financial living standards following divorce found that divorce has a significant negative impact on women's household incomes (de Vaus et al, 2009). This study revealed that in the short term divorced women's income decreased sharply. Furthermore, women with a child aged under 18 experienced a particularly significant dip in equivalent income in the year immediately following divorce. The study also showed that over a five-year period the income of divorcing women only increased by 2.9 per cent, while men's income increased

by 12.5 per cent (de Vaus et al, 2009: 10). Knowing they may be faced with low income and potential poverty, women might decide to remain in the violent relationship.

### **Cultural Barriers**

Cultural norms can create further barriers to mothers leaving violent partners as some women originate from cultures where there are strong prohibitions against separation and divorce (Victorian Foundation for Survivors of Torture, 2001). In some immigrant communities family life is strongly tied to community life and a woman who leaves her husband may be ostracised. There may also be strong cultural prohibitions on discussing what goes on inside the family. For example, some Aboriginal or Indigenous women do not report rape or sexual assault because the closeness of their communities means that they fear reprisals and shame (Keel, 2004: 7).

### **Women with Disabilities**

Mothers who have a disability and are being abused by their partners may face particular problems in escaping from a violent relationship. They may depend upon their partner to meet some of their care needs; and/or may be physically unable to leave the house. As Jennings has noted, such women face the 'triple disadvantage of being a woman, having a disability and being a victim survivor of violence' (Jennings, 2003: 11).

### **Post Separation Difficulties**

Other difficulties arise when women have left a violent relationship but find themselves still tied to it through child contact and handover arrangements. Research such as that of Radford and Hester (2006) has shown that child contact can be used by violent partners as a direct route through which to continue to abuse the child's mother, such as by harming the child or by harrasing, controlling and impoverishing the mother through repeated court appearances (see also Evans, 2007; Rendell et al, 2000). Some call this 'litigation abuse' or 'battery by law' (Radford and Hester, 2006: 83).

## Undermining the Mother-Child Relationship

In the research and practice literature there has been much discussion about the effects of domestic violence on women, and on children who are exposed to the violence perpetrated against their mothers (Kelly, 1994; Mullender and Morley, 1994; McCloskey et al, 1995; Mirrlees-Black, 1999; Morris 1999a and 1999b; 2004; Bancroft and Silverman, 2002; McGee, 2000; Mullender et al, 2002; Taft, 2002; Fraser, 2003; Humphreys and Thiara, 2003 and 2005; VicHealth, 2004a; McCosker and Woods, 2006; Bedi and Goddard, 2007; Hester et al, 2007; Lowe et al, 2007). However only recently has attention been paid to understanding how a perpetrator's actions create problems for women's identity as mothers and also their relationship with their children, and what these actions involve.

Mullender and colleagues (2002) have highlighted the way domestic violence can undermine the mother-child relationship and Humphreys et al (2006: 10) outline the 'tactics of abuse' which both directly and indirectly interfere with the mother-child relationship. Direct tactics include those against women during pregnancy, prevention of women attending to their babies, insulting and being critical of women in front of their children, taking up all of the women's attention so that they are prevented from attending to their children and active sleep deprivation. Indirect effects on the mother-child relationship discussed in these studies include a man's attempts at making sure the woman is unavailable to her children through physical disablement which resulted in hospitalisation, or which meant she was in bed recovering from physical injuries, or mentally unavailable because she was experiencing trauma, depression or had attempted suicide.

As part of a research project conducted in 1999, Anne Morris developed the term 'maternal alienation' to describe the strategies perpetrators deliberately use to undermine mother-child relationships within the contexts of domestic violence and child sexual abuse (Morris, 2004).<sup>5</sup> Perpetrators use verbal messages and actions to demean the mother; they put her in a position where children can hate and despise her, insulting and even abusing her themselves, and in situations in which any action can become further proof of what the perpe-

<sup>5</sup> The term 'maternal alienation' was coined partly in response to the contentious term Parental Alienation Syndrome (PAS) (Gardner, 1987), used mostly by men in custody disputes in the US, and increasingly in Australia, to undermine mothers' allegations of their violence and abuse towards the mother and/or child, particularly child sexual abuse (Myers, 1997; Dallam, 1998 cited in Morris, 2004: 2).

trator says about the children's mother. The power of these messages is built on the commanding way in which they are communicated, the rhetorical devices used and the emotional responses they elicit. The messages are propaganda, and can work powerfully on children, becoming more authoritative than children's own experiences of their mother and of their abuse. As they conflict with children's experiences, these assaults on children's sense of reality have implications for their later mental health and healing.

### During Pregnancy

Domestic violence during pregnancy is a serious problem with health consequences for both the mother and her unborn child (McCosker-Howard and Woods, 2006: 113) including miscarriage and other pregnancy-related complications. The Australian Bureau of Statistics (ABS) 2005 *Personal Safety Survey* revealed that 37 per cent of the women who were pregnant during the relationship with a violent partner experienced abuse in pregnancy. For 16 per cent of these women, that was for the first time (ABS, 2007: 4). The attacks were often severe; and the violence was frequently the beginning of what went on to become a pattern of continued domestic violence experienced by these women.

Kelly (1994) refers to domestic abuse during pregnancy as one example of a 'double level of intentionality' because it is both a type of woman abuse and of child abuse, with the abuser's intention being for one to affect the other. An attack on a pregnant woman is also an attack on the mother's relationship with her child (Humphreys, 2007: 55). Kelly (1994) argues that the issues of women's bearing and mothering children and abuse by their partners are so interlinked that it is difficult to disconnect them. This is particularly evident where pregnancies result from rape, where pregnancies are used to control women, where children are made to choose to side with the violent father, and where children are drawn by their fathers into abusing their mothers.

In the US, Lundy Bancroft and Jay Silverman have explored some of the reasons why men attack women during pregnancy. Both have worked extensively with abusive men (and, to a lesser

extent, with their families). These researchers note that pregnancy is a time when the focus of attention in a relationship necessarily shifts to the expecting mother. They argue that this is 'received poorly by a large proportion of batterers, who demand continued labour and caretaking from the mother, refuse to increase their own contribution, and feel jealous of her attention to the coming child' (2002, p. 65). The more 'entitled' a man feels, the more difficulty he will have with his partner's pregnancy and in accepting the changes in her life (Bancroft, 2004: 29).

Schorstein (1997) also looked for the reasons why abuse may begin with a woman's pregnancy or with the birth of a child, finding that these include 'the man's sexual jealousy of, and anger towards the unborn child'; an immature personality that is unable to cope with competition for the woman's emotion or time; and the man's fear of the responsibilities the child will bring. Some men attempted to cause an abortion (cited in Radford and Hester, 2006: 30).

### Blaming Mothers

Phares argues that mother-blaming is 'a sexist bias toward studying mothers' contributions to child and adolescent maladjustment (while) ignoring similar contributions by fathers' (cited in Jackson and Mannix, 2004: 150). As outlined earlier, the ideology of motherhood provides the basis for mother blaming which seems to be pervasive in the context of domestic violence (Lapierre, 2007: 183). Added to this, concerns about 'abused women's mothering have continuously been raised alongside concerns regarding the situation of children exposed to domestic violence, and these concerns have been articulated within a deficit model of mothering' (Lapierre, 2008: 459).

The common belief that mothers are primarily responsible for any problems that their children have can be exploited by abusive men. Lapierre's study bears this out. The women he interviewed stated that their partners blamed them for the fact that the children were exposed to the violence, with some of these violent men threatening to report their partners to social services for being bad mothers (Lapierre, 2007: 150; Lapierre, 2008a).

The following account illustrates how a perpetrator of domestic violence can use the idea that a woman is a bad mother to threaten her and coerce her into staying in the relationship.

*Things had been a little rocky, but after he found out that I was pregnant he changed. He almost acted as if I'd done it on purpose and he was really resentful. The abuse first started when I was six months pregnant and he wanted me to help him push his car. We had a fight and it ended with him calling me a 'fat slut' (etc) and shaking me by the shoulders. This continued until our little boy was born. He progressed from shaking, to slapping, hitting, kicking, punching and putting his hand over my mouth to stop me breathing. He would also call me names like 'c\*\*t', fat b\*\*ch, slut, whore, dog, ugly, useless, lazy.*

*I was diagnosed with Postnatal Depression but he took away my Zoloft (medication) because he said it made me moody. I tried overdose myself on them months later, but he stuck his fingers down my throat and then went out. I had a seizure while he was gone, but he didn't help me when he got home.*

*He threatens me whenever we fight and tells me to move out. Sometimes when I go to leave, he begs me to stay and says that he'll kill himself if I go, or that he'll tell people that I'm a bad mother and I won't see my child again ('Zoe', age 19).<sup>6</sup>*

### Controlling Domestic Labour and Child Care

As Dobash and Dobash (1998) found, many incidents of abuse develop from arguments over money, housework and/or child care as abusive men seek to gain control over the domestic environment. Ingrid Semaan, who surveyed women about their experiences of mothering in the context of domestic violence, reported that 'most of the men who battered them (also) coerced or forced them to do most of the care work for their children' (2003: 10).

An abusive man may refuse to allow his partner to work outside the home, insisting that she cares for the couple's children rather than placing them in child care. He may overload her with domestic labour and child care, refusing to take on any family responsibilities himself (Bancroft and Silverman, 2002: 32). One woman who experienced this described its effects in the fol-

<sup>6</sup> Story sent in to DVRCV website – see footnote 4.



lowing way: 'When I became pregnant the physical abuse started. And he would not help me with our son at all. So I was working, taking care of him, and my sons. It was exhausting. I would never get a hug or a thank you' (from 'Micheala', age 30).<sup>7</sup>

### Undermining Maternal Authority

Bancroft and Silverman (2002) have explored some of the deliberate tactics used by violent men to damage a woman's authority as a parent and thus gain power in the home.

A perpetrator's violence and threats communicate to children that their mother's physical integrity need not be respected, providing a behavioural and attitudinal model that teaches children to have a negative view of their mother. The children's image of their mother is further harmed when they hear her blamed for the abuse. The implicit message such children receive is that their mother is responsible because she is stupid, selfish or fails to deter the violence by obeying instructions. This impression that some deficiency in their mother caused the violence is reinforced in the aftermath of violence, a time during which she may be withdrawn, short-tempered or emotionally volatile, while the perpetrator makes jokes and attempts to win the children's loyalty (Bancroft and Silverman, 2002: 59).

Emotional abuse, name-calling, intimidation and being subjected to sexual jealousy belittles women in the eyes of their children (Mullender et al, 2002). Added to this, a sustained pattern of insults undermines mothers' authority and respect which they need in order to parent effectively (Holden et al, 1998).

Bancroft and Silverman (2002) also describe deliberate tactics used to control children's perceptions. A perpetrator who observes that children sympathise with their mothers (to whom the children can be a source of strength, validation and social connection) may seek to actively shift the children's allegiances by insulting or ridiculing their mother in front of them. He may tell the children that she does not love them. He may overrule their mother's decisions and so create conflict between mothers and children (p.34).

These strategies can continue after a couple has separated. In their work with perpetrators, the most common behaviour that Bancroft and Silverman observed after separation was perpetra-

<sup>7</sup> Story sent in to DVRCV website – see footnote 4.

tors creating 'an atmosphere in their own homes that is largely or entirely lacking in discipline' (2002: 62). At their father's house the children may be allowed to eat whatever they like and stay up late, so that when they return to their mother's home they are resistant to the structure she tries to impose. Such tactics can cause her to appear 'incompetent and ineffective as a parent while the batterer presents to outsiders as able to take charge of children's behaviour appropriately' (Bancroft and Silverman, 2002: 62).

### Involving Children in Domestic Violence

An abusive man may also abuse his children as part of his violence towards their mother. Indeed, researchers have noted that it can be difficult to separate men's abuse of their children and of their partners into discrete categories of 'child maltreatment and abuse' and 'domestic violence' (Hester et al., 2007: 54; Kelly (1996) cited in Radford and Hester, 2006: 63) particularly because many of the underlying issues and dynamics of woman abuse and child abuse overlap (Hester, 2006: 107). Hester and Pearson give the example of a father who threatened to drop a six-week-old baby over a balcony in order to prevent the baby's mother leaving him after he had hit her (cited in Radford and Hester, 2006: 63).

Some go to the extreme of murdering their own children. According to Jack Levin, a criminologist and expert in so-called 'family annihilators', these acts are often deliberately planned by men who seek to punish their female partners for leaving: 'He kills his children to get even with his wife because he blames her and he hates her' (cited in Martin, 2006).

A perpetrator can undermine the relationship between a mother and her child by involving the child in his violence towards the mother, for example by making the child witness his assaults on her such as by locking them in the room while they take place (Radford and Hester, 2006: 62). According to Radford and Hester, involving children in the abuse can have 'a profound effect on a woman's feelings about the children and the children's attitudes towards the mother' (p. 32).

The following story, detailing the experience of a woman with a disability, describes how a father used his child as a weapon in his abuse of his partner.<sup>8</sup>

<sup>8</sup> This is an edited extract from the full story published on DVRCV's website for women with disabilities, 'A Story About Me' <http://www.dvrcv.org.au/Disability/StoryAboutMe.htm>

*For much of the first two years of (my child's) life I was in hospital quite ill and he had total responsibility for our son. He also decided when and if I could see him and even for how long. Even though my child could have visited more and for longer, his father decided that it would be once or twice a week and that was all.*

*(Once) I was home I did get a chance to spend time with our son, as my ex decided to go to work for a while . . . All the same abuses were happening — yelling, lots of put downs, pushing, manipulating me into doing things that I didn't want to do and also trying to keep me from being close to our child.*

*I began to contemplate a life outside of this marriage. It would take many conversations (with my social worker) and much agony for me to make the final decision to leave, as my fear of not being able to take care of our 3-year-old son was huge. It had been beaten into me verbally that I wasn't capable of caring for [him], and I believed it.*

*(One day) I'd been at work and the ex normally picked me up from work. However this particular day he didn't, so I got a cab. I arrived home to find him and two friends smoking marijuana and our son outside crying, as he'd climbed on the fence and couldn't get down. He did get him down at my request. We then had a huge argument about this in front of these friends. They thought it might be a good idea to take our son for a couple of hours, but my ex would hear none of that. They left. So there we were, having a screaming match in front of our 3<sup>1/2</sup> year old, not that this was new to him. My ex decided at some time during this argument that he was going to leave. There was only one problem; he was taking our son too. Rather than scare our child, I explained that he and daddy were going on a holiday and he would see mummy soon. My ex packed everything of our son's and left, saying they were going to visit family (interstate). He said I'd never see him again. They left.*

*Crying and feeling totally distraught, I called the police. They explained, with a limited amount of sympathy, that as there were no custody orders in place I would have to go to the Family Court in the morning and apply for custody. This would then give them the power to go and collect my son, providing they could find him. I felt no comfort in this, just a consuming fear that I'd never see my beautiful little boy again.*

*Around 3 hours passed and my ex and my son returned. They'd just been down at the local bowling alley the whole time. My ex was joking at my tears and laughing away at how I'd been so frightened. Once again he'd shown me that he could do whatever he liked and there wasn't a thing I could do about it.*

## How Domestic Violence Affects Mothering

While there is a plethora of literature on the health impacts of domestic violence on women generally, its impact on women's ability to mother their children has only recently attracted research attention as a stand-alone topic.

That domestic violence can have a profound and negative effect on women's physical and psychological health has been well documented (see Access Economics, 2004; VicHealth, 2004a; WHO, 2006). According to the World Health Organization (WHO) 'violence against women is now widely recognised as a serious human rights abuse, and increasingly as an important public health problem with substantial consequences for women's physical, mental, sexual, and reproductive health' (2006: 1260). It includes premature death through femicide or suicide, life threatening sexually transmitted infections, death of mother or infant during or following childbirth, physical injuries, effects on reproductive health (e.g. human papilloma virus, complications of pregnancy, miscarriage), injuries that result in physical and/or mental disabilities, and mental health impacts including post-traumatic stress, depression, anxiety, panic attacks, eating disorders, self-harming behaviour, lack of confidence and low self-esteem, harmful substance abuse, sleep problems and gastrointestinal and digestive disorders and chronic pain (VicHealth, 2004a: 21; Radford and Hester, 2006: 21-23). A large-scale Australian study found that the impacts of domestic violence on its victims' health contribute significantly to the social burden of disease (VicHealth, 2004a: 11).

### What the Research Shows

Research into the effects of domestic violence on mothering provides a mixed picture. Studies reveal that not all mothers who have been abused have a diminished parenting capacity, though they may have difficulty in being engaged and energetic parents (Osofsky, 1998; Margolin (1998) cited in Bancroft and Silverman, 2002: 67; Casaneuva et al, 2008).

How domestic violence affects mothering can depend upon many factors, with one study concluding that variability in the

frequency and severity of the violence influenced how much women's parenting was affected by it (Levendosky et al, 2000: 254-255). One incident of violence may not affect a woman's mothering and so she may not report this to a researcher. However, a sustained pattern of abuse over a longer period may negatively affect mothering and it is more likely that a woman will report negative effects on her parenting ability in this context.

Others warn that many studies which have examined women's mothering in the context of domestic violence are of limited use as they are based on small samples and taken of particular populations (such as women residing in domestic violence shelters) (Casaneuva et al., 2008). In addition, most researchers have asked women to self-report on their own mothering.

The following section summarises some of the major research findings.

### **Maintaining Effective Parenting**

Women can manage to mother effectively even when they suffer the severest forms of violence, going to great lengths to counteract its effects on their parenting. A US study based on maternal report and behavioural observations investigated the mediating role of the mother-child relationship on how preschool age children psychologically function in families experiencing domestic violence. It found that some mothers of pre-school-aged children exposed to domestic violence may be more sensitive and responsive to their children than are other parents, although the same study also found that women who were struggling with parenting were experiencing depression and post-traumatic symptoms (Levendosky et al, 2003: 285). An earlier study by Campbell and Soeken (1999) found that children who witnessed domestic violence reported that their mothers were significant sources of support for them.

Based on a study of 1,943 mothers who had been investigated for child maltreatment in the USA, Casanueva et al (2008) report that there were no significant differences in parenting between women who were currently experiencing domestic violence and women who had never experienced domestic violence. Women who had left violent partners had slightly better parenting scores than women who were currently in abusive relationships. In Radford and Hester's research, the majority

of women they interviewed mentioned no ill-effects from the violence on their parenting or on their relationships with their children (2006: p.27).

### **Stress and Emotional Distance**

A US study found that mothers who were themselves the victims of domestic abuse might be inconsistent in their parenting. For example, the abuse could prevent them from maintaining standards of care and lead them to perceive child care as more stressful than was the case for women who were not experiencing domestic violence. In the presence of the violent man, some such mothers have been found to act in punitive ways towards their children (Holden and Richie, 1991).

Domestic violence may lead to a physical or emotional incapacity to mother, and/or to difficulties in caring for children or caring for them adequately. In Abraham's National Children's Home (NCH) Action for Children study, women reported losing their self confidence as mothers, being emotionally drained and with little to give their children, taking out their frustrations on their children, and experiencing an emotional distance between themselves and their children (Abrahams (1994) cited in Hester et al, 2007: 29-30; see also McGee, 2000). Abraham's study found that depression affected the mothering of 76 per cent of the women interviewed. And these feelings and outcomes were compounded by the children's sometimes difficult behaviours (Abrahams (1994) cited in Radford and Hester, 2006: 27). Some women experience depression as a result of the violence, which robs them of energy and self esteem. The numbing aspects of the trauma can lead to mothers being emotionally distant towards their children (Humphreys, 2007).

Holden et al. (1998), using maternal reports, compared the parenting experiences of battered and non-battered women. They found no major differences between the two groups. However, these researchers also reported that 92 per cent of the thirty abused women they interviewed used aggression against their children (compared with 50 per cent of the twenty-eight women who had not been abused) (p. 301). Holden et al. reported that the aggressive behaviour by some women towards their children declined significantly six months after separation if the partner's violence stopped (1998).

### **Lack of Control**

Lapierre's qualitative study of 26 women's experiences of mothering in the context of domestic violence found that women have a diminished sense of control over their mothering and an increased sense of responsibility towards their children (Lapierre, 2007: 153; Lapierre, 2009). The loss of control over mothering is often made worse because of their partners' control of financial and material resources, which left women with few resources to look after their children. Women's sense of responsibility towards their children is partly a result of abusive men's attempts to isolate the mothers. This is compounded by men's lack of interest in the children, or alcohol and drug misuse problems, which meant that women could not rely on their partners for support. In fact to do so could have been risky or damaging for the children (Lapierre, 2008a: 2).

### **Sleep Problems and Mothering**

There are many ways in which domestic violence affects mothers' and children's sleep patterns. Women may need to remain vigilant in the presence of a violent partner, being afraid to sleep deeply lest they be physically and/or sexually attacked (Lowe et al 2007). Humphreys et al's findings (2009) include that in situations of domestic violence mothers organise their sleeping arrangements to make their children feel secure, such as by sleeping with them or being alert to assist them should they wet the bed. Further, they found that the inability to sleep led to a reduction in women's mental and physical resilience, which in turn could impact upon their capacity to mother; and that difficulties in sleeping could continue for years after the relationship had ended, resurfacing at difficult times such as court cases and during child contact.

Children whose sleeping patterns are poor become tired and grumpy and have higher parenting needs. In these researchers' words, 'One has a picture of exhausted mothers attempting to look after over-tired and distressed children in a household where women are also attempting to appease men to prevent them from embarking upon further abuse' (Humphreys et al, 2009: 12).

### Effects on the Mother-Child Relationship

Mother-child interactions become complex when women who are traumatised by domestic violence are mothering children who are also traumatised by it.

Domestic violence can negatively affect the bonding and attachment between a mother and her child.<sup>9</sup> This is particularly so after sexual abuse that results in a pregnancy and the birth of a child (Buchanan, 2008; Taft, 2002). In addition, women may unwittingly transmit to their children their own fears relating to the violence they are experiencing. For the mother-infant relationship this can lead to what has been termed 'disorganised attachment': infants perceive their mothers as frightened and therefore as frightening (Buchanan, 2008: 6).

Other research paints a less negative picture about the impact of domestic violence on the mother-child relationship. Some women reported that once they had left the violent man 'they had in fact become closer to their children because of everything they had been through together' (McGee, 2000).

Research also shows that mothers and children are unlikely to speak to each other about the domestic violence they are living with (Abrahams, 1994; McGee, 2000; Mullender et al. (2002) cited in Humphreys, 2007: 9). This suggests that the perpetrator was actively undermining communication between mothers and children. Humphreys and colleagues, who highlight the importance of the non-abusing parent in helping the child cope in the aftermath of domestic violence, designed activity books to help improve communication and strengthen the mother-child relationship (2006a; 2006b).

In addition, when maternal authority is undermined and women lack confidence in their mothering, further difficulties arise. Children may identify with the parent they perceive to have the most power, often the father, rather than their mother. Egged on by him they may assist in the abuse of the mother or attack her mothering directly (Bancroft and Silverman, 2002: 34). Coping with this behaviour on a continuous and daily basis may be a reality for many mothers.

Lapierre's study provides examples of times when mothers had to juggle the needs of their children while also anticipating their partner's demands. For example, living in fear of their partners' next explosion, women often had to keep their chil-

<sup>9</sup> Attachment theory, originally developed by John Bowlby, holds that an infant will achieve secure attachment where the mother or primary caregiver provides security and a safe haven for their child through responsive care-giving (Buchanan, 2008: 3).



dren quiet and under control. This meant that they were not always able to prioritise their children's needs (Lapierre, 2007: 163-164).

Another effect of domestic violence is that children who witness, or are involved in it, may exhibit behavioural difficulties with which the mother, as primary caregiver, must deal. The children may blame their mothers for allowing the abuse; they may find it easier to side with their father than their mother. Some women may be dealing with their children directly abusing them, physically and/or emotionally. A recent Australian report has explored male adolescent abuse of mothers. The mothers in this study who had experienced violence from their adolescent sons had also experienced violence from their partners or ex-partners (Howard and Rottem, 2008).

### Deciding to Stay or Leave for the Sake of the Children

Despite these negative effects of domestic violence on the mother-child relationship, mothers can find it difficult to leave an abusive partner, as they have to consider where they and their children will live and how they will survive financially. For some women, leaving a husband also carries with it the potential of being ostracised from the wider family, or from a woman's cultural community. Yet if women decide to stay in the relationship, they know that their children will continue to be exposed to violence.

Studies show that recently divorced or separated women are proportionately at greater risk of violence from their former partners than are those still living with their partners (Commonwealth Attorney General's Department, 2001: 9). Some women and/or children are murdered when they leave or attempt to leave. An Australian Institute of Criminology study found that of the 129 family homicides each year, 77 related to domestic violence disputes. Seventy-five per cent of victims were women and 25 per cent of these incidents occurred after separation and divorce (Mouzos and Rushforth, 2003: 2-3).

For some women, the final straw that prompts the decision to leave is when a perpetrator directs his abuse towards the children, or the realisation that living with domestic violence is affecting the children (Keys Young, 1996: 35). However, others

may believe that they will be better able to protect their children by remaining in the relationship. Once a woman has separated from her violent partner she will lack any control over the subsequent father-child relationship – if the children live with the father, or during access and contact visits. Perpetrators of domestic violence can use the children as ‘emotional capital’ after separation, and pursue visitation or custody as a way of gaining access to their ex-partner (Jaffe et al, 2003). Women may be constantly re-exposed to their former partner through child contact arrangements, so their role as mothers thereby can entrap them in the relationship even after they have left it. Buchbinder and Eisikovits (2004) question earlier research that interprets women staying with violent men as ‘entrapment’, and leaving as a sign of empowerment. It is not that simple, and in some cases, staying may be a choice and a sign of strength.

### Recognising the Range of Maternal Responses

It is not surprising that domestic violence can result in women reporting high levels of stress when parenting and a reduced capacity to provide physical or emotional care for children. However, Radford and Hester warn against focusing on deficiencies in mothering and point to research into mothers’ and children’s experiences that shows that post separation, many women who have experienced domestic violence enjoy both mothering and emotionally supporting their children (2001: 144-145). These women go to great efforts to create a ‘normal’ life for their children and protect them from the consequences of the abuse (Radford and Hester, 2006: 43).

However, not all women are affected in the same way and Buchbinder and Eisikovits argue, that some advocates’ arguments can seem to forgive ‘almost any behaviour of abused women towards their children’, glorify abused women’s motherhood and exclude wrongdoing from public consciousness (2004: 360). They point out that there is, in fact, significant research evidence that mothers who are battered are inconsistent in their parenting. In the small study they carried out in northern Israel, these researchers found that some women who had suffered domestic violence functioned as mothers in contradictory ways. Some accused Buchbinder and Eisikovits of

making a fuss about 'nothing' where their mothering was concerned. In the narratives the women used to relate their experiences, some used their children to justify both why they had stayed in the violent relationship, and to explain why they had left it, in ways that revealed that the children's interests were secondary to those of the mothers. The women knew that their children were being abused by their violent partners and also knew the high level of risk in the relationship for the children. One woman said:

*He abused the kid, cracked his skull when he was two years old. The child was hospitalized. I said he would kill him. I slept with him [the abuser] and did everything I could to have this kid. I am not going to let him finish him off. But at that time, I still didn't decide to end our relationship; I still had feelings towards him (2004: 361).*

To understand why a victim of domestic violence acts as she does requires that professionals have an awareness of the impact of domestic violence, including how it affects a woman's ability to care for her children.

As Buchbinder and Eisikovits write:

*There is a need to achieve some kind of balance between blaming abused women too much or too little for parenting practices. When we blame them too much, we bring shame on them and marginalize the violence directed against them, while giving support to the perpetrators. When we blame [them] too little, as Lamb (1996) wrote, 'we make them too small as individuals and reinforce the passivity that was inherent in the experience of victimization' (2004: 365).*

### When Mothers Abuse their Children

In 1980, Straus, Gelles and Steinmetz found that both mothers and fathers from violent marriages are more likely to be child-abusing parents than are those from non-violent marriages. Later research supports this finding (see Giles-Sims, 1985; Hughes, 1988; Jouriles and Norwood (1995) cited in Tomison, 2000: 2; Ross, 1996).

Walker (2000) concluded from her sample of 453 abused women that they were eight times more likely to hurt their chil-

dren while they were living in a violent relationship than when they were safe from violence (p. 78). More recently, Casanueva and Martin (2007) found that women who have experienced intimate partner violence during pregnancy had a higher child abuse potential than women who have not experienced such violence. Cunningham et al (2007) found women who were abused were at least twice as likely to physically abuse their children; and that depression played a major role in whether victims of domestic violence abused their children.

### An Intersectional Analysis

Finding a way to theorise women's abuse of children in the context of domestic violence has been a challenge for feminist researchers.

Damant et al feel 'uneasy about the ways in which radical feminist scholars in the area of domestic violence have addressed issues of child abuse and mothering' (2008: 124), particularly when such scholars explain child abuse committed by women as being merely a defence or a survival strategy that women use when they have little power. Hester et al (2007), for example, have argued that women's violence against their children can at times 'be understood as a means of protecting the children from harsher treatment from their male partners or because of their own sense of frustration or distress (p. 30).

Postmodern feminists such as Featherstone (1996) point out that it is crucial to recognise the complex power relations between women and their children (cited in Damant et al, 2008: 126).<sup>10</sup> Although women often fight for their children's well-being, it cannot always be assumed that they will. Damant et al reject a purely postmodernist feminist approach, saying that 'the physical dimensions of domestic violence, child abuse, and mothering make it impossible to focus solely' on discourse analysis to understand these related phenomena (2008: 128). Instead they argue for an 'intersectional analysis' which takes into account the multiple structural underpinnings of abuse, rather than only that of gender. This approach notices how 'power relations between women/mothers and children' are connected with 'women's identities and multiple systems of oppression' (p. 129) including oppression based on 'age, gender, class, race, sexual orientation, medical condition, etc' (p. 130).

<sup>10</sup> Postmodern feminists are interested in the idea that particular historical and cultural discourses construct power relations and subjectivities. They reject the notion that a material reality exists independently of discourse (Damant et al, 2008: 126)

The need for such an approach is starkly illustrated by some Aboriginal women's experiences of violence, which crosses generations and has also been impacted upon by the state. Two women told ethnographer Gillian Cowlshaw (2009) about their experiences of domestic violence and child abuse, in a way that reveals distinctive outcome differences for Aboriginal women and children. Annette's parents both drank. She said that her father was a 'pure alcoholic' who 'didn't treat us good, didn't treat our mother good'. Annette saw her father bashing her mother. Of her father she said 'There was no love there. I wouldn't know what a father's like'. The 'welfare' stepped in because Annette and her siblings were neglected. The children were separated from their parents and from each other. Annette's experiences have left her feeling that she does not now know how to mother her own children: 'I'm treating them . . . the same way my parents treated me . . . I love them, but there's something there that's not going deep. It's hard to explain' (p. 81).

The experience of Tina, another Aboriginal woman, was different. She loved and cared for her children, but when her husband broke her leg they were 'taken away' as she physically could not care for them (p. 113). As Cowlshaw writes:

*Presumably poverty, an illiterate, poor and sometimes violent, or absent, husband, a black mother whose leg has been broken in a fight with the drunken father, struggling with several children in a condemned dwelling, were conditions judged irredeemable [by authorities], so the children were "saved" and the mother abandoned (p. 122).*

### 'Good Enough' Mothering

As has been noted, perceptions and expectations of mothering can put enormous pressure on women. Contemporary feminists have challenged the dominant conception of the perfect, nurturing and selfless mother who always puts her children's needs before her own. As Rosenberg has argued (1988), 'when mothering is seen only as a natural expression of caring and love, the actual labor involved and the necessary material and emotional resources to care for children remain invisible' (cited in Krane and Davies, 2007: 28).

Some feminist theorists such as Silva have used psychoanalyst Donald Winnicott's concept of the 'good enough' mother (Winnicott, 1953; 1960; 1967) as a useful concept in counter-acting women's very high expectations of their mothering and to ease the burden of mother-blaming attitudes. The 'good enough' mother provides mothering that is acceptable rather than 'perfect' and reflects both a diversity in mothering experiences and that mothering can be provided by someone other than a child's mother (Silva, 1996: 2).

Although Winnicott's theory and its value for feminism has been debated, the concept is useful as a way of acknowledging that the standards expected of mothers in normal circumstances are too high even without the adversity of domestic violence.

Research reveals that women's mothering behaviours and actions come under scrutiny when they take their children to see health providers, some of whom have been found to attribute any problems with children to maternal fault (Jackson and Mannix, 2004: 150). As discussed in the later section on professional responses, women who have been subjected to domestic violence tend to be blamed for any negative effects of this on their children. This belief is founded 'on the presumption that a "good mother" knows what is occurring in the family and has some power to stop anything that is harmful' (Jackson and Mannix, 2004: 155).

However, it is puzzling that it is mothering, rather than fathering, which is scrutinised in such cases.

As the following section shows, our society has very different standards for what is considered to be good, or good enough, fathering.

## Fathering and Domestic Violence

That a man who perpetrates domestic violence can at the same time be thought a good father to the couple's children flies in the face of common beliefs about quality parenting. Yet this assumption lies behind court and policy decisions that result in violent men being given continuing access to the couple's children post-separation (for more on this, see the later section on Family Law). Those decisions reflect a view that violence towards the children's mother poses no real risk to the children.

Yet little research has been conducted into what kind of parenting such men provide (Edleson and Williams, 2007: 5). This is despite study after study showing that children are affected by domestic violence, whether or not they are themselves directly abused (Edleson and Williams, 2007: 13; Bedi and Goddard, 2007). The current focus in policy and law deems that in most circumstances after a child's parents separate, her or his best interests lie in having an ongoing relationship with both. It is as if, as Eriksson and Hester suggest, 'any involvement by fathers with their children constitutes *good-enough* fathering' (2001: 791).

UK researchers Featherstone and Peckover argue that some responsibility for poor policy in this regard must be placed at the door of how fathers emerged 'in an unprecedented way' on the policy agenda there in the late 1980s, in a way that constrained understanding about what fathering actually comprises. Child support legislation was designed to make men meet their economic responsibilities towards their children. Unfortunately this constructed fathers primarily as 'providers of cash' rather than as having a wide range of family responsibilities. An opportunity to focus on their fathering more generally thereby slipped by (2007: 188). In addition, governments have been influenced by a blossoming literature on fathers and fatherhood that has often been written by developmental psychologists and which encourages service providers to 'engage fathers' (p. 191). However this literature deals inadequately with matters pertaining to domestic violence.

Australian child abuse expert Emeritus Professor Freda Briggs has recently criticised Australia's Family Court system, in commenting on a case that involved a domestically-violent

man who murdered the couple's two children. The Court had given him custody of them every second weekend. Briggs decried as inexcusable, judicial and Family Court staff ignorance about 'child development, domestic violence and sexual abuse'. She argued that judges ignored domestic violence 'because (a) some psychologists tell them that men who bash their wives don't necessarily bash their children and (b) they don't seem to know that witnessing violence is as damaging to children as being a victim of it' (cited in Brown, 2009).

'Fatherhood', as Erikson and Hester argue, 'is still to an overwhelmingly large extent constructed as essentially nonviolent' (2001: 780). Featherstone and Peckover argue that instructions to 'involve fathers' are inadequate in particular situations: it is problematic to suggest that 'father involvement *per se* is good for children', rather it might be 'deeply counter-productive for women and children' (2007: 189, 190).

It is also necessary to be wary of programs that are designed to involve fathers across the whole range of parenting responsibilities, even though these would appear to hold out the most hope of creating good fathers. In the context of domestic violence, men's participation in providing child care may provide them with further opportunities to abuse.

Until recently, it has been assumed that the men who are most likely to perpetrate violence in the family are those who are most disengaged from playing a full familial role. However one of the few studies available that has examined violent men's fathering cautions otherwise. Lynne Harne studied twenty domestically violent fathers who were separated or divorced and were attending perpetrator programs. Most had contact with their children, regularly looking after them while the children's mothers worked outside the home. Some of these men resented providing this child care and used their time with the children to control and abuse them. Disturbingly, the men were aware that what they were doing comprised child abuse. One described his behaviour with his children in the following way:

*If they came home late from school . . . I'd get a bit annoyed if they wouldn't sit and concentrate on their homework, because I thought this was important – and if I actually sat say with 'P' [a five-year old girl] and she was trying to read to me and sometimes I would get a bit annoyed if I thought she wasn't trying –*



*Q. So you would hit her?*

*A. Yes but it was also more shouting.*

*Q. So what effect do [you] think that had on her?*

*A. She would just get terrified and curl up in a corner and wouldn't sit on my knee any more (Harne, 2002: 6).*

Based on their extensive experience of working with perpetrators, Bancroft and Silverman observe that 'the batterer tends to take an interest in his children when it is convenient for him or when an opportunity arises for public recognition for his fathering' (2002: 32). Many perpetrators of domestic violence are under-involved and neglectful as parents, and when they do become involved, they tend to be rigid and authoritarian (32). One study found that they were more frequently angry with their children than were non-violent fathers, and they smacked their children more than twice as often (Holden and Ritchie 1991). There is now considerable evidence to show that perpetrators of domestic violence are more likely to physically or sexually abuse their children (Bedi and Goddard, 2007).

Researchers have pointed out that effective interventions are needed when a perpetrator of domestic violence has ongoing contact with the couple's children. Stanley (1997) has argued that the child protection focus needs to be redirected from the children's mother to the cause of the problem, to deal with the issue of 'invisible men' (cited in Davies and Krane, 2006: 419). Featherstone and Peckover argue that this requires a shift in thinking, for when violent men are constructed as 'perpetrators' this results in their identities as *fathers* slipping from view, with serious policy and practice consequences (2007: 181). In contrast, naming them as fathers will direct attention to their fathering and may result in better outcomes for children – though Featherstone and Peckover warn that this will not work in all cases (p. 195).

Eriksson and Hester (2001) point to an interesting contradiction in the way child protection operates. Before separation, it is underpinned by an understanding that parents might harm and abuse children 'and need a set of professionals – social workers – to be vigilant and possibly interventionist on behalf of the state'. However:

*In relation to divorce and separation, parents are construed quite differently (even if they may be the same individuals who were*

*previously dealt with in relation to child protection) . . . as generally [being] nice and good for children and also able to communicate quite amiably with one another so that they may negotiate and decide together on arrangements for their children . . . The father's behavior may have been recognized as an issue of child protection when the parents were still together or in the process of separating. After separation, however, his persona is no longer necessarily construed as that of child abuser, but primarily as father . . . (2001: 786).*

## Professional Responses

When mothers come to the attention of child protection and other professionals, the possibility that their mothering has been affected by domestic violence must be considered, for, as Hester et al argue, it may be the physical and emotional effects of such violence that make women appear to be 'inadequate or unable to cope' as mothers. With support and in a safe environment, they can resume parenting their children (2007: 29).

Thorpe (1996) notes that welfare workers often lack the resources to deal with violent fathers and so 'shift their attention to mothers' (cited in Jackson and Mannix, 2004: 156). This focus can lead to a victim-blaming approach. In reality, such matters as poor mental health and substance misuse may better be conceptualised in some cases as symptoms of the abuse (Humphreys and Thiara, 2003; 2005).

Radford and Hester argue that even where domestic violence is recognised by those working with those affected by it, 'an overemphasis on women's behaviour as victims' encourages the view that what such women need is more treatment. This precludes from consideration 'perpetrators' actions, the wider social and political control of women and, most importantly, how women cope with abuse on a daily basis and, in most cases, overcome it' (2006, pp. 16-17).

In this section, we will briefly explore what the research literature says about the systemic responses of professionals within the realms of child protection and family law to mothers who have been abused by their male partners or ex-partners. First, we will look at evidence about how men who perpetrate violence can use these systems to their advantage to engage in mother blaming and paint the woman as a poor, inadequate or failed mother. Then, we will examine research and practice-based literature which outlines some of the unhelpful and helpful responses to women in this situation.

### How Violent Men use Systems to their Advantage

The effects of the mother-blaming tactics used by violent men can be exacerbated when those who work in the service system hold women almost solely accountable for their children's well-

being – even when a partner’s abuse of them has affected the children. In Radford and Hester’s words, abused mothers can be denigrated ‘in family courts, child protection agencies or as the result of the activities by the media and fathers’ rights groups’ (2006: 8).

The period after separation highlights some of these problems. McInness suggests that:

*... system responses to women fleeing violence can compound their situation, particularly when their children become the target and means of abuse and control by ex-partners using the Family Court system. Homelessness, acute poverty, lack of legal aid and continuing exposure to post-separation violence are some common issues facing women who flee violence with their children (2002: 23-26).*

Some men find it easy to use adversarial systems to their advantage, for example by reporting their wives/partners to child protection for being poor mothers. Some of the women interviewed by Rendell et al reported that their ex-partners made continual court applications as a way of harassing them or making them run out of legal aid funding (2000: 38).

## Family Law

Despite increasing community awareness of the prevalence of family violence, women who are victims of violence have faced new challenges due to recent shifts in community attitudes and changes to family law.

Helen Rhoades (2002) argues that a new ‘stock story’ has emerged, one that is widely promoted in the media and echoed in shifts in policy and law. This is the story of the ‘no-contact’ mother who selfishly uses her maternal power to deny contact between children and their fathers. A Victorian survey of community attitudes found that almost half of all respondents agreed that ‘women going through custody battles often make up claims of domestic violence to improve their case’ (VicHealth, 2006: 24).

Fathers’ rights groups have had a significant influence on community attitudes and on reforms to family law (Kirkwood, 2007; Flood, 2007). In a discussion of the influence and

motivations of these groups, Michael Flood argues that 'some fathers' rights groups seem more concerned with re-establishing paternal authority and fathers' decision-making related to their children's and ex-partners' lives than with actual involvements with children' (2007: 7).

In Australia, the *Family Reform Law Act 1995* placed a child's right to have contact with both parents as a priority. In 2006 further reforms were introduced by the Howard government, through the *Family Law (Shared Parental Responsibility) Act 2006*. These included a legal presumption of equal shared parental responsibility after separation. Where such an order is made, there must be a consideration of equal parenting time or substantial and significant time. The presumption does not apply where there are 'reasonable' grounds to believe there has been family violence or child abuse.

The 2006 Act created a system of primary and additional considerations for determining what is in a child's best interests. The two primary considerations are: (a) the benefit to the child of having a meaningful relationship with both parents; and (b) the need to protect the child from physical or psychological harm from being subjected to, or exposed to, abuse, neglect or family violence (Section 60CC of the Act).

The additional considerations include: views expressed by the child; the willingness and ability of each parent to facilitate and encourage a close and continuing relationship between the child and the other parent; and family violence involving the child or a member of the child's family.

DVRCV and others have raised concerns that the primary considerations are in conflict when violence or abuse has occurred (Kirkwood, 2007: 12). In these cases it is difficult to protect a child from harm while also allowing them to maintain a meaningful relationship with an abusive parent. Nor is there a definition of what a 'meaningful' relationship entails.

Further, the new Act requires the court to consider a parent's willingness and ability to facilitate a close relationship between the child and the other parent when deciding what is in the best interests of children (the so-called 'friendly-parent' provision). According to a report in the *Sydney Morning Herald* (6 May, 2009) the Chief Justice of the Family Court, Diana Bryant, has called for this part of the Act to be removed because it appears to be dissuading women from raising allegations of

domestic violence for fear of being considered 'unfriendly' (Horin, 2009).

Dangerous consequences can flow from such a pro-contact culture. A 2007 report by the Australian Institute of Family Studies, which examined 300 court files (from before the implementation of the 2006 reforms), found that more than half of the cases contained allegations of adult family violence and/or child abuse (Moloney et al, 2007). The review found that even though allegations of violence were common and often serious, they had only minimal impact on court-sanctioned parenting outcomes. It was unusual for contact between a child and a parent to be denied. Orders for overnight contact predominated, even when there were allegations of violence and regardless of the apparent severity of the violence. Where there was supporting evidence of violence, the court was still likely to order significant contact, but in these cases it was often restricted to daytime only.

Shea Hart and Bagshaw (2008) also found that family violence has been ignored by Family Courts in Australia. They undertook an in-depth discourse analysis of twenty unpublished Family Court judgments in cases involving allegations of domestic violence. In most of these the father's history of domestic violence or child abuse was ignored. The judgments placed more emphasis on the harm to children because of being deprived of contact with fathers, than on the harm to children due to exposure to violence. In the majority of the cases violent partners were described as 'loving' fathers. There was 'scant reference to or information about fathers' parenting skills or their capacity to parent' (2008: 299). In contrast, women were perceived to be vindictive towards their ex-partners, and to be misusing their maternal authority to alienate their children from their fathers. Shea Hart and Bagshaw reported that 'Mothers' legitimate concerns about the potential influence of violence on their children appeared to be discounted in the majority of cases' (2008: 297). Mothers were expected to maintain emotional ties between fathers and children, while also ensuring that their children were protected from violence. In the small number of cases where mothers had entered into 'consent' agreements in relation to father-child contact, these mothers were criticised for failing in their responsibility to protect their children from the violent behav-

jour of the fathers. According to Shea Hart and Bagshaw, these competing demands placed victims of domestic violence in a 'no-win' situation (2008: 298).

It appears that in family law, the parenting skills of mothers are under greater scrutiny than are those of fathers. Researchers who studied child contact arrangements in the UK and Denmark found that a father who 'merely expressed an interest in seeing his child was usually seen to be a "good enough father"' (Hester and Radford (1996) cited in Rendell et al, 2000: 30). However, as Rendell et al (2000) argue, mothers are assessed differently. Based on an Australian survey of residential parents and welfare and legal practitioners, they conclude:

*A mother is often assessed on her parenting skills by experts in the family law system at exactly the time she is trying to establish herself and her children in a new way of life. She is stressed and distressed. Further, usually during the process of family law cases, there is some kind of contact arrangement in place. It may be an arrangement which the woman considers unsafe for the children but with which she is obliged to comply, knowing that her attitude towards contact is under direct scrutiny. The woman soon discovers that separation from the violent man has not protected her children from his violence, as she had hoped. Instead it has exposed them to it – alone – without her potential protective presence (p. 28).*

Research from the US suggests that the recent Australian reforms are likely to exacerbate the existing problems in family law when dealing with domestic violence. The Australian family law reforms were influenced by US legislation, including the mandate of shared parental responsibility and the 'friendly-parent' requirement. A recent review of child custody and visitation decisions in cases of domestic violence in six US states found that, even when states had a presumption against giving custody to a perpetrator of domestic violence, the effectiveness of this was 'severely undermined . . . by competing statutes—specifically, a presumption in favor of joint custody (with a weak exception for domestic violence) and a friendly parent provision' (Morrill et al, 2005: 1101).

## Child Protection

In Australia, Cathy Humphreys undertook a review of child protection responses to domestic violence finding that the child protection system in a number of states is in danger of being overwhelmed by referrals of children affected by it (2007b). This is primarily because of recent changes to mandatory reporting criteria which, in many states, now includes the requirement to notify children affected by domestic violence to child protection.

In situations of domestic violence mothers may come to the attention of child protection workers for 'failing to protect' their children from a man's violence and this can also be a time when their mothering is viewed with suspicion. When violent men remain in the family, social work or child protection procedures may be invoked. Women often become the centre of attention: their ability to be protective is a key aspect of the assessment (Calder et al, 2004; Edleson (1999) cited in Hester, 2006: 145). Social workers are engaged 'in the detection and rehabilitation of "risky" mothering in order to transform women into the needed "mother-protectors" of children', in a context in which child protection workers 'are burdened with bureaucratic tasks and administrative duties and have little face-to-face contact with the families on their case-loads' and strict timeframes for assessment to take place (Davies and Krane, 2006: 414-5).

This was the focus of child protection practice during the 1990s. It meant that the onus was on women to 'aggressively protect' their children, and there was a push for them to leave the violent man or have their children accommodated elsewhere (Hester et al, 2007: 167). This philosophy has been (and still is) taken to extremes in some states of the US, where women have been charged for failing to protect their children under child abuse, child neglect or child endangerment statutes. Women may be criminally prosecuted for not leaving their abusive partners and so securing their children's safety (White et al, 2005: 1). This sends a clear social message that women are responsible for protecting their children from a man's abuse.

Themes drawn from a recent Australian forum support this view that women's mothering is still the major cause for



concern. Participants at the Domestic Violence and Child Protection forum of workers held by Women's House Shelta in Queensland noted that the pretext for removing children from their mothers was often that the mother had 'failed to protect her children' or had 'participated in domestic violence' (Women's House Shelta, 2009: 4). Participants also noted that men remain invisible in practice and discourse surrounding child protection with most child protection interventions focusing on mothers (Women's House Shelta, 2009: 7).

Humphreys argues that the traditional focus on the child in statutory child protection interventions has created 'a practice which has had a tendency towards "mother-blaming" where there is family violence' (2007a).

According to Davies and Krane (2006), a 'structural problem lies at the heart of the statutory child protection response to children affected by domestic violence'. When there are both adult and child victims of violence in one family, child protection services 'have generally not been set up to manage this complexity' (cited in Humphreys, 2007: 7). Rather, the primary role of child protection services is to protect children and intervene where abuse has occurred or is alleged.

Burke (1999) suggests a useful framework for dealing with cases of domestic violence by taking a hierarchy of considerations into account when working with those who are its victims and with the perpetrators. These are first, the safety and protection of children; second, empowerment and safety for women; and third, responsibility and accountability of the perpetrators of the violence. However Humphreys argues that in practice the first principle will always override the second, which means that women's safety and empowerment will never be prioritised (2007b: 7). A solution to this is to support the non-abusing parent (normally the mother) and help her to strengthen the mother-child relationship, which will in turn protect the child (Humphreys 2006a, 2006b, 2007a; Humphreys et al., 2006). Intervention must recognise that, where there is domestic violence, good child protection involves good protection of women and support for the mother-child relationship (Humphreys, 2007a).

Buchbinder and Eisikovits (2004) share the view that mothers, as the non-abusing parent, should be supported to care for their children. Further to this, they argue that empowering

women should also mean encouraging self-reflection and responsibility for parenting practices.

*Practitioners should be able to foster simultaneously women's understanding of the structural oppression resulting from gender violence, as it impacts on the woman's ability to function in her various roles, and the assumption of personal responsibility for the quality and level of her functioning. In balancing the needs and rights of women with those of their children, we may be able to operationalize empowerment for both parties (p. 365).*

There also needs to be a concurrent focus on the perpetrator that addresses his violence. Like others, Humphreys draws attention to the invisibility of the perpetrator and the minimisation of domestic violence within child protection practice (2007b). Her 1999 analysis of child protection case files from the UK resulted in several important findings, that:

- formal reports to child protection failed to mention domestic violence – despite this being the reason for the referral or part of the investigation;
- serious domestic violence was reported but it was called something else (such as 'family conflict' or 'marital argument');
- issues other than domestic violence were named as being the problem (such as mental health, neglect or substance misuse);
- the woman's abuse (of the children) was seen as being equal to, or greater than, the man's – despite evidence in the case file that suggested the opposite; and
- the perpetrator's actions were rendered invisible by his lack of involvement in the assessment (Humphreys, 2007b: 8).

Featherstone and Peckover (2007) argue that 'as part of offering better interventions to women and children, men as fathers need to engaged with also' because often women are left to manage violent men's behaviour and the consequences of it on their children (p. 197). A focus on fathering offers a way for practitioners to engage men, and offers possibilities for men to develop non-violent fathering and relationships. This may work 'not for all, but for some' (p.196).

## Talking Points

Among the points raised by the research discussed in this Paper, several require further discussion and action. These include:

- What research needs to be undertaken to more fully understand the effects of domestic violence on women and their mothering in order that systemic responses to that violence can change?
- How can children's wellbeing best be assured in the context of domestic violence?
- How can children and mothers who live with domestic violence be assisted to communicate with each other, particularly given evidence that a strong relationship between a child and a non-abusing parent is reparative for such children?
- What responses are most likely to foster supportive relationships for these children with the non-abusive parent, over both short- and long-term timespans? What changes are needed in child protection and family law processes to facilitate this?
- In the context of domestic violence, how can we develop an environment in which mothers can be assisted to understand and acknowledge times when they have failed their children or have made decisions that have led to harm towards them, without blaming them for the violence perpetrated against the children by partners?
- How can those working in child protection, family law and other systems be encouraged to learn what is actually happening within the families with which they come into contact, for example by directly asking whether domestic violence is an issue and how it is affecting parenting?
- How can the focus on women-and-mothering be turned around, to make men's behaviour and their fathering visible?
- How do agencies and courts that work from an ideal of a child's right to equal contact with both parents, hold perpetrators of domestic violence accountable for the effects of that violence on children and the mother-child relationship?
- How can men who perpetrate domestic violence against a child's mother be deemed a 'good' or 'good enough' father?

- If children continue to be placed in contact care with violent men, how can the risk to those children and their mothers be assessed and their safety best be assured?
- Can effective programs be developed to assist perpetrators of domestic violence to take responsibility for the impact of it and become caring and responsible fathers to their children?

## Conclusion

This paper has shown how some men trap women in violent relationships by using the mothering role to exercise control over them both during the relationship and post-separation, through particular strategies of abuse.

While many women show great resilience to these, continuing to mother their children well in such adverse circumstances, others are further entrapped due to the impacts of the domestic violence on them. They may suffer stress, poor mental health and/or substance abuse. Their self-esteem and confidence in their mothering may be poor. Some may be faced with damaging behaviour from children who side with the perpetrator against them, at the extreme being physically abused by their children.

When a relationship ends, the domestic abuse can continue under other guises. Some women are engaged in apparently endless and difficult litigation that impoverishes them emotionally and materially. Children are used as emotional capital through child contact and handover. Furthermore, some male perpetrators use the social expectations around motherhood in professional and adversarial systems to their advantage, engaging in mother blaming that masks their own involvement in the difficulties these women face as mothers.

The challenge we face is to develop responses to domestic violence that attend to the safety and wellbeing of women and their children, support mothers in their parenting role, and rebuild a positive mother-child relationship where necessary. Such a response will confront perpetrators with their use of violence and the effects that it has on mothering and the mother-child relationship as well as on their own relationships with their children. It will make abusive fathers the focus of attention.

A child's relationship with his or her father rarely ends with parental separation, even when the father has perpetrated domestic violence. Often children (and their mothers) want fathers to remain involved in their lives. The objective of interventions must therefore be to ensure that a perpetrator of domestic violence comes to take responsibility for the impact of his abuse on his partner, and on his relationship with his children. And interventions should be evaluated according to whether or not they succeed in this.

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